

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 20-10896-GAO

NASSAU LIFE INSURANCE COMPANY,
Plaintiff,

v.

DONNA J. BAUM, ROBERT J. BAUM, CHRISTIAN FARRELY,
O.R.R.F, a minor child,
Defendants.

ORDER
March 30, 2021

O'TOOLE, S.D.J.

After an inquiry into this Court's subject matter jurisdiction, I conclude that the domestic relations exception to jurisdiction does not apply and that the Court has subject matter jurisdiction over this matter. The benefit at issue is a contracted for benefit under Elizabeth Baum's Life Insurance Policy ("the Policy"). The parties do not dispute the ownership of the Policy and determining the beneficiary under the Policy does not implicate "the allocation of property incident to a divorce." Irish v. Irish, 842 F.3d 736, 741 (1st Cir. 2016).

Having concluded that the Court has jurisdiction over this matter, I GRANT the plaintiff's Motion for Leave to Deposit Interpleader Funds, for Injunction, Discharge and Dismissal with Prejudice and Recovery of Fees and Costs (dkt. no. 10). After reviewing the parties' briefing and plaintiff's accounting of expenses incurred in pursuit of resolving this dispute, I conclude that the request for \$8,000, is reasonable and it is fair and equitable to award those fees in this instance. See Sun Life Assur. Co. of Canada v. Sampson, 556 F.3d 6, 8 (1st Cir. 2009).

It is SO ORDERED.

/s/ George A. O'Toole, Jr.
Senior United States District Judge